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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,392	02/04/2002	Masayuki Tamura	111524	2297
7590		12/23/2003	EXAMINER	
Oliff & Berridge		LE, DANG D		
P O Box 19928		ART UNIT		
Alexandria, VA 22320		PAPER NUMBER		

2834

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/031,392	TAMURA ET AL.	
	Examiner	Art Unit	
	Dang D Le	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/30/03 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-6 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchet (5,453,649) in view of Hofmann (5,086,243).

Regarding claim 1, Blanchet shows a motor with a rotation detecting device (72, Figure 1), comprising:

- A rotary shaft (22);
- A yoke (16) in a bottomed cylindrical shape which rotatably supports one end of the rotary shaft,
- A casing (14) with a bottomed cylindrical part which is connected to the open end of the yoke and rotatable contains the other end of said rotary shaft (24), and
- A rotation detecting device (72) which detects rotation of said rotary shaft, wherein the rotation detecting device is supported by a sensor holder (12), the sensor holder (12) is provided with an outer electrical connecting portion (66, 70) and is disposed in the casing (14) by insertion into a sensor holder receiving part (48, 50, 52) formed in the casing (14) from the same direction (F with arrow) as an incorporating direction of the rotary shaft into the bottomed cylindrical part, and the casing (14) is provided with an electrical connecting opening part (50) from which the outer electric connecting portion (66, 70) of the sensor holder which has been inserted into the sensor holder

receiving part is seen whereby an electrical connection for the sensor holder is made from the electrical connecting opening part (66, 70).

Blanchet does not show the permanent magnets being attached on the yoke's inner peripheral surface.

Hofmann attaches the permanent magnets (6, 7) on the yoke's inner peripheral surface for the purpose of making a permanent magnet stator motor.

Since Blanchet and Hofmann are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to attach the permanent magnets as taught by Hofmann for the purpose discussed above.

Regarding claims 2-6 and 11-15, it is noted that Blanchet also shows all of the limitations of the claimed invention.

6. Claims 7, 8, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchet and Hofmann as applied to claim 6 above, and further in view of Ohishi et al. (6,091,171).

Regarding claims 7, 8 and 16-18, Blanchet and Hofmann show all of the limitations of the claimed invention except for an external pull out terminal unit.

Ohishi et al. provide an external pull out terminal unit (7) for the purpose of making an electrical connection.

Since Blanchet, Hofmann, and Ohishi et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an external pull out terminal unit as taught by Ohishi et al. for the purpose discussed above.

7. Claims 9, 10, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchet, Hofmann, and Ohishi et al. as respectively applied to claims 7 and 8 above, and further in view of JP 64-50647.

Regarding claim 9, 10, 19, and 20, Blanchet, Hofmann, and Ohishi et al. show all of the limitations of the claimed invention except for the engaging claws.

JP 64-50647 uses the engaging claws for the purpose of mounting the terminal connector.

Since Blanchet, Hofmann, Ohishi et al., and JP 64-50647 are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to as taught by JP 64-50647 for the purpose discussed above.

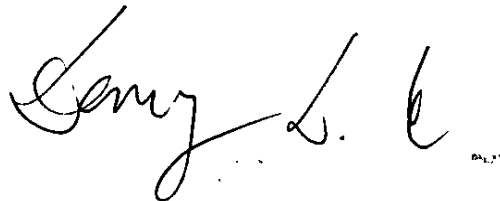
Information on How to Contact USPTO

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

12/12/03

A handwritten signature in black ink, appearing to read 'Dang D. Le', with a stylized flourish at the end.

**DANG LE
PRIMARY EXAMINER**